

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**JAPAN DISPLAY INC., PANASONIC
LIQUID CRYSTAL DISPLAY CO., LTD.,**

Plaintiffs,

V.

**TIANMA MICROELECTRONICS CO.
LTD.,**

Defendant.

§ § § § § § § § § § § §

C.A. NO. 2:20-cv-00283-JRG
[LEAD CASE]

C.A. NO. 2:20-cv-00284-JRG
C.A. NO. 2:20-cv-00285-JRG
[MEMBER CASES]

JURY TRIAL DEMANDED

**JOINT REPORT REGARDING MEET AND CONFER
CONDUCTED IN ANTICIPATION OF HEARING ON PLAINTIFFS’
MOTION TO COMPEL INVALIDITY CONTENTIONS AND ACCOMPANYING
TECHNICAL AND SALES INFORMATION, AND TO STRIKE
DEFENDANT’S DEFICIENT ELIGIBILITY CONTENTIONS**

Pursuant to Paragraph 9(d) of the Court's February 8, 2021 Discovery Order (Dkt. No. 33), plaintiffs Japan Display Inc. and Panasonic Liquid Crystal Display Co., Ltd. (collectively, "Plaintiffs") and defendant Tianma Microelectronics Co. Ltd. ("Tianma Microelectronics") (hereinafter the "Parties") file this Joint Report Regarding their Meet and Confer Conducted in Anticipation of Hearing on Plaintiffs' Motion to Compel Invalidity Contentions and Accompanying Technical and Sales Information, and to Strike Defendant's Deficient Eligibility Contentions ("Joint Report"), and would respectfully show the Court as follows:

1. On April 1, 2021, Plaintiffs filed their Motion to Compel Invalidity Contentions and Accompanying Technical and Sales Information, and to Strike Defendant's Deficient Eligibility Contentions (the "Motion") based on the discovery dispute between the Parties regarding: **(1)** Tianma Microelectronics's production of technical documents for all Accused Products required under P.R. 3-4; **(2)** Tianma Microelectronics's Invalidity Contentions required under P.R. 3-3; **(3)** Tianma Microelectronics's production of worldwide sales data for all Accused Products; and **(4)** Tianma Microelectronics's Eligibility Contentions required under the Court's July 25, 2019, standing order regarding subject matter eligibility contentions. Dkt. No. 49. The Court set the Motion for hearing on June 21, 2021.

2. Pursuant to Section 9(c) of the Court's Discovery Order, on April 30, 2021, Eric J. Klein, Lead Counsel for Plaintiffs, met and conferred with James R. Barney, Lead Counsel for Tianma Microelectronics; Eric H. Findlay, Local Counsel for Tianma Microelectronics; and Aidan C. Skoyles, Counsel for Tianma Microelectronics, via telephone regarding the substance of Plaintiffs' Motion. Counsel conferred in an effort to resolve the discovery disputes without need of judicial intervention, but were unable to reach a resolution.

3. The Parties discussed issues (1) and (3) at length but have a disagreement on whether Tianma Microelectronics is obligated to collect and produce documents from subsidiaries including Tianma Japan, Ltd. and Tianma America, Inc. The Parties also discussed whether Tianma Microelectronics will produce technical and sales documents for products substantially similar to the Accused Products but that are not specifically listed in Plaintiffs' Infringement Contentions. The Parties are still discussing whether an agreement can be reached regarding this topic.

4. Regarding issue (2), Tianma Microelectronics has represented that it will supplement its Invalidity Contentions with respect to identified prior art devices no later than May 7, 2021. Plaintiffs will promptly review this supplement and determine whether it resolves this issue.

5. Regarding issue (4), the Parties fundamentally disagree on the scope of Tianma Microelectronics's obligations with respect to Eligibility Contentions, leaving the issue unresolved.

6. The Parties intend to exchange additional correspondence and engage in further discussions ahead of the hearing in a further attempt to resolve the dispute and will promptly advise the Court of any updates.

7. Otherwise, the Parties plan to attend the hearing scheduled for Monday, June 21, 2021, at 1:30 p.m. In addition to the above, the reasons necessitating the hearing are set forth in the Parties' briefing on the Motion, which is on file with the Court.

Dated: May 4, 2021

Respectfully submitted,

<p><u>/s/ Aidan C. Skoyles (with permission)</u> James R. Barney (pro hac vice) james.barney@finnegan.com Qingyu Yin (pro hac vice) qingyu.yin@finnegan.com Aidan C. Skoyles (pro hac vice) Aidan.skoyles@finnegan.com FINNEGAN LLP 901 New York Avenue N.W. Washington, DC 20001 Telephone: (202) 408-4000 Facsimile: (202) 408-4400</p> <p>Eric H. Findlay State Bar No. 00789886 Brian Craft State Bar No. 04972020 FINDLAY CRAFT, P.C. 102 N. College Ave., Suite 900 Tyler, TX 75702 Telephone: (903) 534-1100 Facsimile: (903) 534-1137 efindlay@findlaycraft.com bcraft@findlaycraft.com</p> <p>ATTORNEYS FOR DEFENDANT TIANMA MICROELECTRONICS CO. LTD.</p>	<p><u>/s/ Eric J. Klein</u> Eric J. Klein Lead Attorney Texas State Bar No. 24041258 Jeffrey R. Swigart Texas Bar No. 24102553 VINSON & ELKINS L.L.P. 2001 Ross Avenue, Suite 3900 Dallas, TX 75201 Telephone: (210) 220-7700 Facsimile: (210) 220-7716 Email: eklein@velaw.com Email: jswigart@velaw.com</p> <p>Hilary L. Preston Texas State Bar No. 24062946 Jeffrey T. Han Texas State Bar No. 24069870 Erik Shallman Texas State Bar No. 24113474 Matthew J. Melancon Texas State Bar No. 24109544 VINSON & ELKINS L.L.P. 2801 Via Fortuna, Suite 100 Austin, TX 78746 Telephone: (512) 542-8400 Facsimile: (512) 542-8612 Email: hpreston@velaw.com Email: jhan@velaw.com Email: eshallman@velaw.com Email: mmelancon@velaw.com</p> <p>Abigail Lubow California State Bar No. 314396 VINSON & ELKINS L.L.P. 555 Mission Street, Suite 2000 San Francisco, CA 94105 Telephone: (415) 979-6963 Facsimile: (415) 358-5770 Email: alubow@velaw.com</p>
---	---

	COUNSEL FOR PLAINTIFFS JAPAN DISPLAY INC. and PANASONIC LIQUID CRYSTAL DISPLAY CO., LTD.
--	---

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2021, a true and correct copy of the foregoing document was electronically filed in compliance with Local Rule CV-5(a) and was served on all counsel who are deemed to have consented to electronic service, per Local Rule CV-5(a)(3).

/s/ Erik Shallman

Erik Shallman